

**United States Department of Labor  
Employees' Compensation Appeals Board**

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**T.C., Appellant**

**and**

**DEPARTMENT OF VETERANS AFFAIRS, VA  
MEDICAL CENTER, Decatur, GA, Employer**

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**Docket No. 22-0520  
Issued: March 22, 2022**

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:

ALEC J. KOROMILAS, Chief Judge

JANICE B. ASKIN, Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On February 14, 2022 appellant filed an appeal from a December 3, 2020 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-0520.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.<sup>2</sup>

The 180<sup>th</sup> day following the December 3, 2020 decision was June 1, 2021. As appellant did not file an appeal with the Board until February 14, 2022, more than 180 days after the December 3, 2020 OWCP decision, the Board finds that the appeal docketed as No. 22-0520 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not explained her failure to timely file an appeal with supporting documentation sufficient to

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<sup>1</sup> 5 U.S.C. § 8149; 20 C.F.R. §§ 501.2(c) and 501.3(a) (2009).

<sup>2</sup> *Id.* at § 501.3(e).

establish compelling circumstances. Because there is no final adverse decision issued by OWCP within 180 days of the filing of the instant appeal, the Board concludes that the appeal docketed as No. 22-0520, must be dismissed.<sup>3</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 22-0520 is dismissed.

Issued: March 22, 2022  
Washington, DC

Alec J. Koromilas, Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>3</sup> The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).